

BILL NO. Z-72-03-06

ZONING MAP ORDINANCE NO. Z-\_\_\_\_\_

AN ORDINANCE amending the City of Fort Wayne  
Zoning Map No. FF13 FF11

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,  
INDIANA:

SECTION 1. That the area described as follows is hereby designated a MHP District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. FF13 FF11 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

118<sup>±</sup> acre space bounded on the East by Hillegas Road, bounded on the South by Butler Road, bounded on the West by the East property line and its Northerly extension of to the South right of way line of Interstate Highway I-69 now or formerly owned by Highland View Development Company, Inc. as described by Deed Book 610, Page 255, bounded on the Northwest by the South right of way line of Interstate Highway I-69 to its intersection with the South property line of a 20 acre parcel now or formerly owned by Harry A. Stolte as recorded in Deed Book 406, Page 334, bounded on the North by said South property line of parcel owned by Harry A. Stolte.

SUBJECT TO ARTICLE 6 SEC. 601, IND. DRAINAGE CODE FOR PRANGE DRAIN CORSSING FOLLOWING DESCRIBED SPACE. The East 1/2 of the Southeast 1/4 and the South 1/2 of the East 1/2 of the Northeast 1/4 of Section 29, Township 31 North, Range 12 East containing 118<sup>±</sup> acres of the 120<sup>±</sup> acres as recorded by Deed Book 685, Page 166. Said 118 acres lie South of the South right of way line of Interstate Highway I-69

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

Eugene Kraus  
Councilman

APPROVED AS TO FORM  
AND LEGALITY

16-15-16  
CITY ATTORNEY

Read the first time in full and on motion by Kraus seconded by Schmidt and duly adopted, read the second time by title and referred to the Committee on regulations (and to the City Plan Commission for recommendation) (and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock P.M., E.S.T.

Date: March 14 1992 Charles W. Westmaier  
CITY CLERK

Read the third time in full and on motion by \_\_\_\_\_ seconded by \_\_\_\_\_ and duly adopted, placed on its passage.  
Passed (LOST) by the following vote:

	AYES _____	NAYS _____	ABSTAINED _____	ABSENT _____ to-wit:
Burns	_____	_____	_____	_____
Hinga	_____	_____	_____	_____
Kraus	_____	_____	_____	_____
Nuckols	_____	_____	_____	_____
Moses	_____	_____	_____	_____
Schmidt, D.	_____	_____	_____	_____
Schmidt, V.	_____	_____	_____	_____
Stier	_____	_____	_____	_____
Talarico	_____	_____	_____	_____

Date \_\_\_\_\_  
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as (Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

ATTEST: (SEAL)

\_\_\_\_\_  
CITY CLERK PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_-at the hour of \_\_\_\_\_ o'clock \_\_\_\_ M., E.S.T.

\_\_\_\_\_  
CITY CLERK

Approved and signed by me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_ at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ m., E.S.T.

\_\_\_\_\_  
MAYOR

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on March 14, 1972, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-72-03-06; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

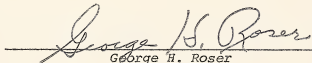
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on March 20, 1972;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the city, and the amendment will be detrimental to and conflicts with the overall city plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held March 27, 1972.

Certified and signed this  
10th day of April 1972.

  
\_\_\_\_\_  
George H. Roser  
Secretary

Bill No. Z-72-03-06

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance

amending the City of Fort Wayne Zoning Map No. FF-13 FF-11

have had said Ordinance under consideration and beg leave to report back to the Common  
Council that said Ordinance \_\_\_\_\_ PASS.

Eugene Kraus, Chairman

James S. Stier Vice-Chairman

William T. Hinga

Paul "Mike" Burns

Vivian G. Schmidt

## RECEIPT

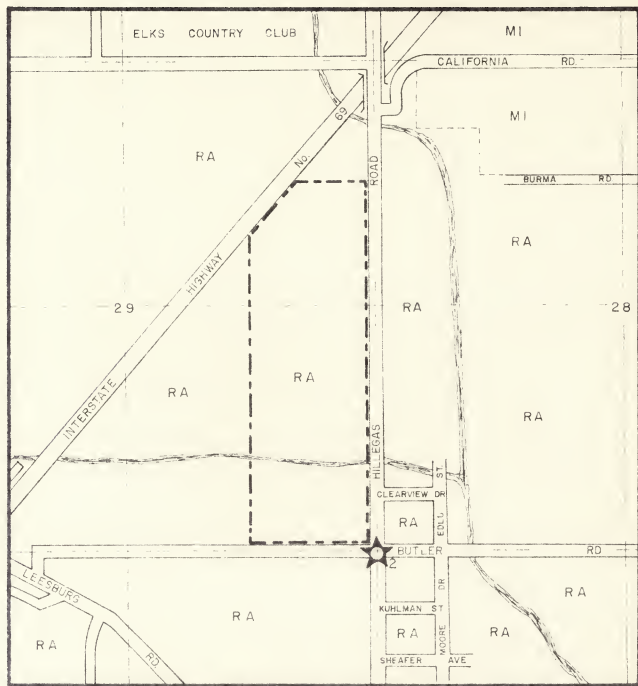
No 115

GENERAL FUND

FT. WAYNE, IND. Jan 13 1922

RECEIVED FROM Shoaff, Wm. David \$ 50.00THE SUM OF Fifty and no/100 DOLLARSON ACCOUNT OF Wm. David Shoafffor 24 hours of service

AUTHORIZED SIGNATURE



TO ESTABLISH A MHP BOUNDARY-----

4.

PETITION FOR ZONING ORDINANCE AMENDMENT

TO: COMMON COUNCIL OF THE  
CITY OF FORT WAYNE, INDIANA

No. \_\_\_\_\_

DATE FILED: Jan. 13, 1972

INTENDED USE: \_\_\_\_\_

I/We Edwin O. Oswald, and John R. Oswald, and Genevieve A. Oswald

Applicant's Name or Names

Do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne, Indiana by reclassifying from an \_\_\_\_\_ District to a MHP 2A District the property described as follows: \_\_\_\_\_

SUBJECT TO ARTICLE 6 SEC. 601, IND. DRAINAGE CODE FOR  
PRANGE DRAIN CROSSING FOLLOWING DESCRIBED SPACE

Legal Description Checked by (City Engineer) \_\_\_\_\_

Alvan C. Embury March 8, 1972  
For Ron Bern

The Undersigned applicant (s) upon the execution and submission of this application and petition for zoning ordinance amendment, understands and agrees that:

All requests for continuances or requests that ordinances be taken under advisement shall be filed in writing in the Office of the City Plan Commission by noon on the Wednesday preceding the meeting of the City Plan Commission at which the ordinance is to be considered. If the request for a continuance or for the ordinance to be taken under advisement is filed within the required time, the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at which it was to be considered. Also, in the event, a request is filed for continuance or delay in the consideration of an ordinance, it shall be the obligation of the petitioner to notify the same property owners which the Plan Commission had notified by mail that the hearing has been postponed or rescheduled and informing him of the time and place of the next meeting at which the proposed ordinance will be considered. In the event the time and place of the meeting is not known at the time that the request for continuance is filed, it shall be the duty of the petitioner to notify all persons notified by the Plan Commission Office when the time and place of hearing is determined.

I/We hereby certify that as the undersigned, I am / We are the owner (s) of fifty-one percentum or more of the property described in this petition.

Name	Address	Signature
<u>EDWIN O. OSWALD</u>	<u>3741 HILLEGAS RD</u>	<u>Edwin O. Oswald</u>
<u>JOHN R. OSWALD</u>	<u>3741 HILLEGAS RD</u>	<u>John R. Oswald</u>
<u>GENEVIEVE A. OSWALD</u>	<u>3741 HILLEGAS RD</u>	<u>Genevieve A. Oswald</u>

This petition for zoning ordinance amendment prepared by:

Name	Address	Telephone Number
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City Plan Commission - One Main Street - City-County Building - Fort Wayne, Indiana - 423-7571

CITY PLAN COMMISSION  
City-County Building  
One Main Street  
Fort Wayne, Indiana

Mr. Ralph Blume  
344 Utility Building  
Fort Wayne, Indiana 46802

Dear Ralph:

The forwarding of this petition to rezone was delayed because of the existing requirement for a thorough check of the description by the City Engineering Department.

We received this petition on

*Jan 13, 1972*

It would be appreciated if this petition could be assigned a Bill Number in the order that the request came to us.

Sincerely,

CITY PLAN COMMISSION

*Marshall Snyder*  
Marshall Snyder  
Draftsman

MS:mo



On motion by Councilman Kraus, Bill No. Z-72-02-06  
seconded by Stine

that this ordinance No. Z-72-02-06 is hereby withdrawn for no further action by the Common Council of the City of Fort Wayne, on Bill No. Z-72-03-06.

AYES 9, NAYS 0, ABSTAINED     , ABSENT     , to-wit:

Burns	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Hinga	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kraus	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nuckols	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Moses	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Schmidt, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Schmidt, V.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stier	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Talarico	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date 4-25-72.

Charles W. Thiburne  
CITY CLERK

ATTEST:

(SEAL)

Charles W. Whisker  
CITY CLERK

PRESIDING OFFICER

MADE A MATTER OF RECORD  
DATE 4-25-72 CHARLES W. WESTERMAN, CITY CLERK



**BOBECK** Real Estate Company, Inc.

2412 FORT WAYNE BANK BUILDING  
FORT WAYNE, INDIANA 46802  
PHONE (219) 422-7444



April 21, 1972

Fort Wayne City Council  
First Floor  
City-County Building  
One Main Street  
Fort Wayne, Indiana 46802

In Re: Bill No. Z-72-03-06

Gentlemen and Mrs. Schmidt:

Bobeck Real Estate Company, Inc., which has recently submitted for consideration to the Fort Wayne Planning Commission Bill No. Z-72-03-06, respectfully requests that its application for said Bill be withdrawn.

Your consideration in this matter is greatly appreciated.

Yours truly,

BOBECK REAL ESTATE COMPANY, INC.

H. Duane Bobeck  
President